

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**PHILIP CHARVAT,**

**Plaintiff,**

**v.**

**TOMORROW ENERGY CORP., et al.,**

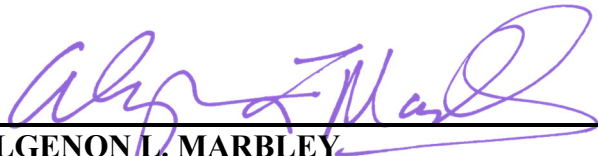
**Defendants.**

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: **Case No. 2:20-cv-01064**  
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: **CHIEF JUDGE ALGENON L. MARBLEY**  
:  
: **Magistrate Judge Kimberly A. Jolson**  
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**ORDER**

This matter is before the Court on a Motion for Judgment on the Pleadings or Alternative Motion to Dismiss by Defendant Tomorrow Energy Corp. (ECF No. 43). On March 1, 2021, Plaintiff Phillip Charvat filed a Stipulation of Dismissal of Claims Against Tomorrow Energy Corp. (ECF No. 90). Accordingly, Tomorrow Energy Corp.'s motion [#43] is **DISMISSED** as **MOOT**.

**IT IS SO ORDERED.**

  
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**ALGENON L. MARBLEY**  
**CHIEF UNITED STATES DISTRICT JUDGE**

**DATED: April 1, 2021**